



#7/Election
EDT
1-28-03

PATENT C. Moore

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David H. Parker Examiner: Cariaso, Alan B.
Serial No. 10/003,610 Group Art Unit: 2875
Filed: November 1, 2001 Docket No. 58013-013500
Title: FLASHLIGHT CHARGER AND RECHARGEABLE BATTERY

CERTIFICATE UNDER 37 CFR 1.6(d)

I hereby certify that this correspondence and identified enclosures are being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, Washington D.C., 20231 on December 19, 2002

Sharon E. Farnus
Sharon E. Farnus

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RESPONSE TO ELECTION REQUIREMENT

BOX: Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated October 3, 2002, the applicant would like to point out that claims 1-7 were cancelled with the filing of this divisional application. Therefore, claims 8-26 are the pending claims in this application.

In response to the restriction requirement set forth in the Office Action, the applicant elects with traverse the claims of group II (Claims 8-21). Please withdraw remaining claims 22-26. Group or Invention I, is not applicable as suggested by the Examiner.

The Examiner's requirement is respectfully inappropriate. For the Examiner to effectively examine this case a search will have to be done in all relevant subclasses. This would likely cover subject matter in the non-elected claims which are in the same class, and related subclass.

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01 FC:2251 55.00 CH

02/05/2003 CILLS 00000014 501561 10003610
01 FC:2252 55.00 CH

Accordingly, the Examiner's request is burdensome, not only on the applicant and the public, as it would require multiple patents to cover the technology of the claims of the invention.

Reconsideration of the above application is respectfully requested. Should matters remain which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney or agent.

Respectfully submitted,

Margo Maddux

Margo Maddux
Reg. No. 50,962

Date: December 19, 2002

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